

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL 1570 (RCC)

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THIS DOCUMENT RELATES TO:

***THOMAS E. BURNETT, SR., ET AL. VS. AL BARAKA
INVESTMENT AND DEVELOPMENT CORP., ET AL.
03 CV 9849 (RCC); 03 CV 5738 (RCC)***

**DECLARATION OF JODI WESTBROOK FLOWERS IN SUPPORT OF PLAINTIFFS'
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANT AQEEL AL-AQEEL'S MOTION
TO DISMISS WITH SUPPORTING POINTS AND AUTHORITIES**

JODI WESTBROOK FLOWERS declares under penalty of perjury:

1. I am attorney admitted to practice *pro hac vice* before this Court and am a member of MOTLEY RICE LLC, counsel for plaintiffs in *Burnett, et al. v. Al Baraka Investment & Development Corp., et al.*, Civil Action Nos. 03 CV 9849 and 03 CV 5738. I submit this declaration to provide the Court with the exhibits on which Plaintiffs rely in their Memorandum of Law in Opposition to Defendant Aqeel Al-Aqeel's Motion to Dismiss with Supporting Points and Authorities.

2. Exhibit 1 is a true and accurate copy of a Press Statement "From the Office of Public Affairs" issued by the United States Department of the Treasury, *Remarks of Treasury DAS Juan Zarate on Joint U.S. and Saudi Action in the Financial War on Terror*, released on the Department of Treasury's website on June 2, 2004.

3. Exhibit 2 is a true and accurate copy of a Statement "From the Office of

Public Affairs" issued by the United States Department of the Treasury entitled *Additional Al-Haramain Branches, Former Leader Designated by Treasury as Al Qaida Supporters Treasury Marks Latest Action in Joint Designation with Saudi Arabia*, released on the Department of Treasury's website on June 2, 2004.

4. Exhibit 3 is a true and accurate copy of a Al Haramain Islamic Foundation's I.R.S. Form 990s for 1999 and 2000 and 2001, which lists Aqeel Al-Aqeel's address as 1257 Siskiyou Blvd. Plaintiffs have confirmed that this address is in Ashland, Oregon.

5. Exhibit 4 is a true and accurate copy of a newspaper article entitled *Saudi Charity in Ashland on Terrorism "Watch List,"* by Les Zaitz which appeared in The Oregonian newspaper on November 9, 2003.

6. Exhibit 5 is a true and accurate copy of both the original Arabic and an English translation of an article entitled *Saudi Al-Haramayn Foundation Chairman Cited on Activities in 74 Countries*, dated November 17, 2003, which appeared in Al-Dammam Al-Yawm, a Saudi newspaper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4, 2004.



JODI WESTBROOK FLOWERS